

REMARKS

Applicants and their undersigned representative thank Examiner Sznaidman for the thorough examination of the present application, and for the explanations set forth in the Office Action dated September 17, 2008.

5 This Amendment is accompanied by a Petition for Extension of Time under 37 C.F.R. 1.136(a) (Form PTO/SB/22) seeking a 3-month extension until January 17, 2009, together with the \$1,110 large entity fee.

Response to Restriction Requirements

10 The Examiner has requested that the applicants restrict prosecution of the present application under 35 U.S.C. § 121 and 372. The applicants have been requested to elect a single general inventive concept pursuant to 37 C.F.R. § 1.499. In response, the applicants elect the invention of Group V (claim 9) drawn to methods of inhibiting mycotoxin contamination in cereals, without traverse.

15 The examiner has also requested election of a single species (compound A) to which the claims would be restricted if no generic claim is finally held to be allowable. In response to this further election, the applicants elect the species of alkali metal salts of phosphorous acid including without limitation potassium phosphite. The claims believed to be readable on this particular species include at least claims 11-13, 15-18, and 20-34.

Amendments to the Claims

20 The applicants have deleted the original 10 claims, and added new claims 11 - 34 for consideration by the examiner. All of these claims are believed to be directed toward the elected invention. Support for the new claims is found throughout the specification and in the originally submitted claims, including without limitation paragraphs [0001], [0004], [0006], [0008], [0013], [0015], [0016], and [0030] of the published application,

example 1, and tables 3 and 4, among other places.

The present amendment brings the total number of pending claims to 24, of which four are independent claims (claims 11, 16, 30, and 31), and two are multiple dependent claims (claims 29 and 32). Thus, the fees for 4 claims in excess of twenty ($4 \times \$52 =$
5 $\$208$); one independent claim in excess of three ($\$220$); and two multiple dependent claims ($2 \times \$390 = \780) are submitted herewith, for total claims fees of \$1,208. An additional fee of \$1,110 is submitted to support the petition for extension of time. An IDS fee of \$180 is also being submitted. Thus, the total fees submitted with this amendment are \$2,498.


10 Should any additional fees be required by this paper, the Office is authorized to charge them to deposit account 502429.

In view of the above amendments and remarks, it is submitted that the claims are in condition for allowance. Allowance of the claims at an early date is solicited.

If it is deemed helpful or beneficial to the efficient prosecution of the present
15 application, the Examiner is invited to contact Applicants' undersigned representative by telephone.

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Respectfully Submitted,

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